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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 GABRIEL ECKARD,

9 Plaintiff,

Case No. C19-0377-BJR

10 v.

11 BRIAN WILMOTH,

ORDER GRANTING DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT

12 Defendant.  
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14 The Court, having reviewed Plaintiff's complaint, Defendant's motion for summary  
15 judgment, the Report and Recommendation of the Honorable Mary Alice Theiler, United States  
16 Magistrate Judge (ECF No. 17) and lack of objection to the same, and the remaining record, does  
17 hereby ORDER:

18 (1) The Report and Recommendation is approved and adopted.

19 (2) Defendant's motion for summary judgment (Dkt. 11) is GRANTED;

20 (3) Plaintiff's complaint (Dkt. 5) and this action are DISMISSED, with prejudice, for  
21 failure to exhaust administrative remedies; and

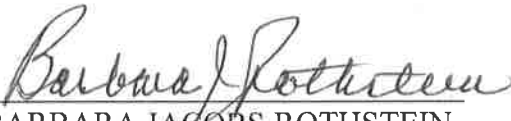
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ORDER GRANTING DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT - 1

1 (4) The Clerk is directed to send copies of this Order to plaintiff, to counsel for  
2 defendant, and to the Honorable Mary Alice Theiler.

3 DATED this 11th day of October, 2019.

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5 BARBARA JACOBS ROTHSTEIN  
6 United States District Judge  
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